

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

<p>Applicant's or agent's file reference PSD/44895PCT</p>	<p>Date of mailing (day/month/year) 03 -03- 2005</p>	
<p>International application No. PCT/IB 2004/052204</p>		<p>International filing date (day/month/year) 26-10-2004</p>
<p>Priority date (day/month/year) 27-10-2003</p>		
<p>International Patent Classification (IPC) or both national classification and IPC H04Q 7/22, H04L 12/18</p>		
<p>Applicant Nokia Corporation et al</p>		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the ISA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM</p>	<p>Authorized officer Stefan Dufva/MN</p>
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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language, _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

a sequence listing
 table(s) related to the sequence listing

b. format of material

in written format
 in computer readable form

c. time of filing/furnishing

contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. II Priority

1. The following document has not yet been furnished:

copy of the earlier application whose priority has been claimed (Rules 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rules 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

The priority has not been validated. This report has been drafted as if the priority is valid hence rendering EP 1359774 A1 and EP 1420551 A2 to be of no relevance.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-30</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>2, 4, 5, 7-9, 11, 13, 14, 16-30</u>	YES
	Claims	<u>1, 3, 6, 10, 12, 15</u>	NO
Industrial applicability (IA)	Claims	<u>1-30</u>	YES
	Claims		NO

2. Citations and explanations:

The claimed invention

The claimed invention relates to a method of operating a mobile terminal comprising accessing a service portal via a bi-directional network.

The following document are cited in the International Search Report:

D1: US 20030174678 A1
D2: US 20020142757 A1
D3: EP 1359774 A1
D4: EP 1420551 A2

D1 relates to an apparatus and a method for controlling packet data to provide multimedia broadcast/multicast services in a CDMA mobile communication system.

D1 describes in paragraph [0028] with reference to figure 8, a signal processing procedure of a user equipment (UE) or mobile terminal when a broadcast service is provided. According to D1, if the UE selects a broadcast service of the MBMS, the UE obtains parameters for at least one corresponding broadcast channel to receive the broadcast service. The broadcast channel is configured using the parameters obtained from the above described procedure.

What differs the claimed invention from D1 is that according to the claimed invention, the UE selects a service from a service menu in a service portal.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: V

However, this is considered merely a constructional feature as the important steps of selecting a service, receiving parameters used to configure a channel for the selected broadcast service and then to set up the channel and start the service are identical.

Consequently, the claimed method and mobile terminal as in claims 1, 3, 6, 10, 12 and 15 are considered to lack an inventive step.

D2-D4 are considered to merely relate to the state of the art and are not commented on further.

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Box No. VI	Certain documents cited			
1. Certain published documents (Rules 43bis.1 and 70.10)				
Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)	
EP 1359774	05.11.03	05.05.03	03.05.02	
EP 1420551	19.05.04	05.11.03	21.06.02	
			06.11.02	
			11.11.02	
2. Non-written disclosures (Rules 43bis.1 and 70.9)				
Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)		